App. F. IX-4.

1926.

File No. 25-26

Previous references. (LB)

LB 25-26 & 123

Serial Nos. 10

Later references.

LB. 30-29 &. 65, 87, 88, 94+105

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for Sept. 26

SUBJECT

Re. the elections to District Boards under the new regulation

10 To, The Deputy Commissioner, Kolar District

No. L 2371/L 30. 9. 26.

Issues certain instructions in the matter.

Forwards copies to the Deputy Comms of other Districts

No L 2372-78/L 30.9.26.

5/10/26

In all future correspondence please quote this number.
A.5-C.1393-26-27
Encs.

OFFICE OF THE DEPUTY COMMISSIONER,
KOLAR DISTRICT,

Dated Kolar, the 13th September *1926*.

GENERAL & REVENUE SECRETARIAT 12662 17 SEP 1926 LOCAL SELF GOVT. BRANCH

GEN. & REV. SECTT. R 16. SEP. 1926 G. D. SECTION.

FROM

S. HIRIANNAIYA, Esq., M.A., B.L.,
Deputy Commissioner, Kolar District.

To

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative *Department, Bangalore.*

SIR,

With reference to Rule 10 of the Rules for regulating the election of members ~~of the~~ to the District Board, published with G.O. No:L.1311-L.B.25-26-3 dated the 21-8-1926, regarding the disposal of objections and claims preferred by persons under rule 9 of the said rules, I have the honor to state that a doubt arises as to whether an order passed by an officer deputed by the Deputy Commissioner to enquire into objections or claims, has to be submitted in each case by such officer, for the final orders of the Deputy Commissioner or whether there should be an appeal from the aggrieved person to the Deputy Commissioner against the order of the officer so deputed and if so with in what period. The lasst sentence, Viz: "The order of the Deputy Commissioner shall be final" of Rule 10 gives rise to such a doubt.

2. I request therefore that a clear interpretation of the said rule may be intimated at a very early date, so that the finality of the order to be passed under Rule 10 may be decided.

I have the honor to be,
S i r,
Your most obedient servant,

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.

V.V.R.
13926.

V

to the deputy commissioner the reasons. He cannot make an order. This must be done myself. If I approved the order commissioner will be informed accordingly. Submit for orders.

Bom 12/9

From the wording of the section it looks as if the latter view is correct. The officer deputed seems to have just as much power as the Deputy Commissioner to pass orders settling the claim. In case the deputed officer's order is disputed the Deputy Commissioner's order will be final. Whether this dispute should take the form of an appeal if so prescribed in which has not been stated in the rule. As it is too soon to either alter or add to the rules we do not perhaps be told that each case may be settled on its own merits according to the best discretion of the officer in

8/12/19.

WD 01264—GPB—40,000—17-12-25

General and Revenue Secretariat

LB File No. 25 of 1926

Serial No.

It looks as if order has been passed by the DJ & only. and in case an enquiry is not held by him & is held by another officer deputed by him that officer has to submit a report to the DJ who will pass orders thereon. It does not seem that the rule contemplates the passing of an order by another officer and an appeal against that order to the DJ. If approved the Act should be informed accordingly.

Forwarded to the Special Officer LB for favour of opinion before submission to Govt.

2/3
1875.

If the Asstt Comr was empowered to pass orders, provision would have been made for appeal against his orders. The rules do not provide for appeals from the order of the Asstt Comr to the D.C. The last sentence in rule 10 was inserted in order to confer the power that not only that the D.C. being responsible under section 8 of the Regn for preparing the list, should pass the order and also that there should be no appeal against his order.

Rule 10 as it stands has to be interpreted to mean that it is the D.C. that has to pass the order.

P.S. 1879
Ashley

x
18/9

LB 1879

NOTE—Contn. Sheet

WD 01229—GPB—37,500—1-9-26
App. F. III—2]

General and Revenue Secretariat

LB File No 25 of 1926

Serial No.

The file was personally submitted ~~personally~~ to the 1st Member.
He ordered that the officer making the enquiry should submit the records case for orders and the Govt may be informed accordingly.
A.S. L.S.S) 28/9

Please put up draft accordingly.
28/9

draft Letter for Consideration
Bnr 27-9-26 L.S.S) 27/9

Mr.
27-9

3589/29

30/9 'I am directed'
30/9

Issued vr L2341 dt 30.9.26

B

5

APP. F. VI. Gl.]

SUBJECT.....

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Section 183

File No. 25-26

Serial No 60

No. L 2371

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The Secretary Bureau

Dacca

Sir,

Date of issue 3.9.26

Signed by M. N. Nag

With reference to your letter No A. S. C 1393-26-24 dated the 13th September 1926 asking for an interpretation of Rule 10 of the Dacca District election rules as regards the orders passed by the officer deputed by the Commissioner to enquire into claims & objections on voters' list, I am directed to state that the intention of the provision is that the officer making the enquiry

List of enclosures.....

Copied by.....

Examined by.....

P.T.O.

WD 01265—GPB—31,000—24-12-25

6

should submit the records
to the Supreme Commission
for orders.

I have etc

WD 27/9 Secy to Govt
P & L Depts

Memo 2512-8
dated 23/3/26
Copies of Headquarters forwarded
to Deputy Comrs of Northern
Distts for information

B. C

KG
27/9

WD 27/9 for Secy
P & L Depts

G. R. S. 58]

Previous references.

File No. 226-15

1915.

Serial Nos. 2

(Land Rev)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for Feb 1916

SUBJECT.

Ref Go No G 5688-1 Gen. 244-14-1 dt 9-10-15 Regard the postponement of the question of pension to Mr Krishna Singh Kanungo.

Failed

W D 1351—GPB—20,000—13-12-15

Mr Akbar Rahman
8-4-1916